



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1050  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/749,851

12/30/2003

Ingo Zenz

6570P017

9437

8791

7590

03/09/2007

BLAKELY SOKOLOFF TAYLOR & ZAFMAN

12400 WILSHIRE BOULEVARD

SEVENTH FLOOR

LOS ANGELES, CA 90025-1030

EXAMINER

RAYYAN, SUSAN F

ART UNIT

PAPER NUMBER

2167

MAIL DATE

DELIVERY MODE

03/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/749,851

Applicant(s)

ZENZ, INGO

Examiner

Susan F. Rayyan

Art Unit

2167

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 13 February 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
- a) ☒ The period for reply expire 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) ~~the date of~~ (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See *Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: 1-22.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.


**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
12. ☐ Note the attached Information Disclosure Statement(s) (RTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

  
JOHN COTTINGHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

  
Susan Rayyan  
March 6, 2007

Continuation of 3. NOTE: new issues including "customer parameter value", "a user interface to display contents of the property sheet data structure, the user interface to enable a user to change a default value associated with a particular name to a custom parameter", wherein response to the user specifying a custom parameter value in place of a default parameter value for a particular name, the name is associated with the custom parameter value of the property sheet structure still preserve the value of the default parameter" of independent claim 1; "default", "custom" of claim 3; "current", "parameter values", "value", "default" of claim 6; "value", "receiving a parameter update request from a user via a user interface and responsively", "value in place of a default configuration parameter value", "wherein in response to the user specifying a custom parameter value in place of a default parameter value for a particular name, associating the name with the custom parameter value but preserving the value of the default parameter" of claim 11; "or a default value", "receiving user entry of" of claim 13; "storing binaries and configuration data associated with a plurality of server nodes within a data object, the data object to store a hierarchical representation of configuration data associated with the server nodes, the data object having a root and a plurality of nodes branching from the root", "providing one or more property sheets at one or more of the nodes, each of the property sheets including a plurality of configuration parameters associated with the server nodes, each parameter associated with a name, a default parameter value and optionally a custom parameter value", "updating the configuration of a first one of the server nodes by receiving a parameter update request from a user via a user interface and responsively entering a custom configuration parameter value in place of a default configuration parameter value in a property sheet associated with the server node", wherein in response to the user specifying a custom parameter value in place of a default parameter value for a particular name, associating the name with the custom parameter value but preserving the value of the default parameter", "configuration parameter update", "associated with the update of independent claim 15; "updating" of claim 16; "custom parameter value", "user interface means to display contents of the property sheet means, the user interface means to enable a user to change a default parameter value associated with a particular name to a custom parameter value", "wherein in response to the user specifying a custom parameter value in place of a default parameter value for a particular name, the name is associated with the custom parameter value but the property sheet means still preserves the value of the default parameter" of claim 18; "default", "custom" of claim 21.